

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KYLE VODDEN, *individually and on behalf of all others  
similarly situated*,

Plaintiff,

-v-

WW INTERNATIONAL, INC.,

Defendant.

20 Civ. 3856 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On August 3, 2020, defendant filed a motion to dismiss the complaint under Rule 12 of the Federal Rules of Civil Procedure. Dkt. 12. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that plaintiff shall file any amended complaint in response to the motion to dismiss by **August 24, 2020**. No further opportunities to amend will ordinarily be granted. If plaintiff does amend, by **September 14, 2020**, defendant shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that they rely on the previously filed motion to dismiss.<sup>1</sup>

It is further ORDERED that if no amended complaint is filed, plaintiff shall serve any opposition to the motion to dismiss by **August 24, 2020**. Defendants' reply, if any, shall be served by **August 31, 2020**. At the time any reply is served, the moving party shall supply the Court with an electronic courtesy copy of all motion papers, as PDF files, by emailing them to: EngelmayerNYSDchambers@nysd.uscourts.gov

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<sup>1</sup> If defendant files a new motion to dismiss or rely on its previous motion, plaintiff's opposition will be due 14 days thereafter, and defendant's reply, if any, will be due seven days after that.

SO ORDERED.

A handwritten signature in blue ink, reading "Paul A. Engelmayer", is positioned above a horizontal line.

PAUL A. ENGELMAYER  
United States District Judge

Dated: August 5, 2020  
New York, New York